

HUMAN SERVICES DEPARTMENT[441]

Notice of Termination

Pursuant to the authority of Iowa Code section 249A.4 and 2010 Iowa Acts, House File 2526, section 11(22), the Department of Human Services hereby terminates rule-making proceedings under the provisions of Iowa Code section 17A.4(1)“b” for proposed rule making relating to Chapter 77, “Conditions of Participation for Providers of Medical and Remedial Care,” Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” and Chapter 83, “Medicaid Waiver Services,” Iowa Administrative Code.

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on October 6, 2010, as **ARC 9138B**. The Notice proposed adding coverage for assisted living services under the Medicaid home- and community-based services (HCBS) elderly waiver.

The Department has engaged in efforts to develop and implement assisted living as a service under the HCBS elderly waiver since 2004. Despite these years of effort, the Department has been unable to reach agreement with the assisted living providers on the proposed rules. The providers’ perceived loss of revenue coupled with the continuing service documentation requirements and the service payment proration requirements have inhibited the progression of these proposed rules. Service documentation and the payment proration requirements are a requirement of the Centers for Medicare and Medicaid Services (CMS).